

1 AMENDMENT TO SENATE BILL 150

2 AMENDMENT NO. _____. Amend Senate Bill 150 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by adding Section
5 10-20.21a as follows:

6 (105 ILCS 5/10-20-21a new)

7 Sec. 10-20.21a. Contracts for charter bus services. To
8 award contracts for providing charter bus services for the
9 sole purpose of transporting students regularly enrolled in
10 grade 12 or below to or from interscholastic athletic or
11 interscholastic or school sponsored activities.

12 All contracts for providing charter bus services for the
13 sole purpose of transporting students regularly enrolled in
14 grade 12 or below to or from interscholastic athletic or
15 interscholastic or school sponsored activities must contain
16 clause (A) as set forth below, except that a contract with an
17 out-of-state company may contain clause (B), as set forth
18 below, or clause (A). The clause must be set forth in the
19 body of the contract in typeface of at least 12 points and
20 all upper case letters:

21 (A) "ALL OF THE CHARTER BUS DRIVERS WHO WILL BE
22 PROVIDING SERVICES UNDER THIS CONTRACT HAVE, OR WILL HAVE

BEFORE ANY SERVICES ARE PROVIDED:

(1) SUBMITTED THEIR FINGERPRINTS TO A STATE POLICE AGENCY AND THE FEDERAL BUREAU OF INVESTIGATION FOR A CRIMINAL BACKGROUND CHECK, RESULTING IN A DETERMINATION THAT THEY HAVE NOT BEEN CONVICTED OF COMMITTING ANY OF THE OFFENSES SET FORTH IN SUBDIVISION (C-1)(4) OF SECTION 6-508 OF THE ILLINOIS VEHICLE CODE; AND

(2) DEMONSTRATED PHYSICAL FITNESS TO OPERATE SCHOOL BUSES BY SUBMITTING THE RESULTS OF A MEDICAL EXAMINATION, INCLUDING TESTS FOR DRUG USE, TO A STATE REGULATORY AGENCY."

(B) "NOT ALL OF THE CHARTER BUS DRIVERS WHO WILL BE PROVIDING SERVICES UNDER THIS CONTRACT HAVE, OR WILL HAVE BEFORE ANY SERVICES ARE PROVIDED:

(1) SUBMITTED THEIR FINGERPRINTS TO A STATE POLICE AGENCY AND THE FEDERAL BUREAU OF INVESTIGATION FOR A CRIMINAL BACKGROUND CHECK, RESULTING IN A DETERMINATION THAT THEY HAVE NOT BEEN CONVICTED OF COMMITTING ANY OF THE OFFENSES SET FORTH IN SUBDIVISION (C-1)(4) OF SECTION 6-508 THE ILLINOIS VEHICLE CODE; AND

(2) DEMONSTRATED PHYSICAL FITNESS TO OPERATE SCHOOL BUSES BY SUBMITTING THE RESULTS OF A MEDICAL EXAMINATION, INCLUDING TESTS FOR DRUG USE, TO A STATE REGULATORY AGENCY."

Section 10. The Illinois Vehicle Code is amended by changing Sections 6-104 and 6-508 as follows:

(625 ILCS 5/6-104) (from Ch. 95 1/2, par. 6-104)

Sec. 6-104. Classification of Driver - Special Restrictions.

(a) A driver's license issued under the authority of this Act shall indicate the classification for which the applicant therefor has qualified by examination or by such

1 other means that the Secretary of State shall prescribe.
2 Driver's license classifications shall be prescribed by rule
3 or regulation promulgated by the Secretary of State and such
4 may specify classifications as to operation of motor vehicles
5 of the first division, or of those of the second division,
6 whether operated singly or in lawful combination, and whether
7 for-hire or not-for-hire, and may specify such other
8 classifications as the Secretary deems necessary.

9 No person shall operate a motor vehicle unless such
10 person has a valid license with a proper classification to
11 permit the operation of such vehicle, except that any person
12 may operate a motorized pedalcycle if such person has a valid
13 current Illinois driver's license, regardless of
14 classification.

15 (b) No person who is under the age of 21 years or has
16 had less than 1 year of driving experience shall drive: (1)
17 in connection with the operation of any school, day camp,
18 summer camp, or nursery school, any public or private motor
19 vehicle for transporting children to or from any school, day
20 camp, summer camp, or nursery school, or (2) any motor
21 vehicle of the second division when in use for the
22 transportation of persons for compensation.

23 (c) No person who is under the age of 18 years shall be
24 issued a license for the purpose of transporting property for
25 hire, or for the purpose of transporting persons for
26 compensation in a motor vehicle of the first division.

27 (d) No person shall drive: (1) a school bus when
28 transporting school children unless such person possesses a
29 valid school bus driver permit or is accompanied and
30 supervised, for the specific purpose of training prior to
31 routine operation of a school bus, by a person who has held a
32 valid school bus driver permit for at least one year; or (2)
33 any other vehicle owned or operated by or for a public or
34 private school, or a school operated by a religious

1 institution, where such vehicle is being used over a
2 regularly scheduled route for the transportation of persons
3 enrolled as a student in grade 12 or below, in connection
4 with any activity of the entities unless such person
5 possesses a valid school bus driver permit.

6 (d-5) No person may drive a bus that does not meet the
7 special requirements for school buses provided in Sections
8 12-801, 12-802, 12-803, and 12-805 of this Code that has been
9 chartered for the sole purpose of transporting students
10 regularly enrolled in grade 12 or below to or from
11 interscholastic athletic or interscholastic or school
12 sponsored activities unless the person has a valid and
13 properly classified commercial driver's license as provided
14 in subsection (c-1) of Section 6-508 of this Code ~~school--bus~~
15 ~~driver-permit~~ in addition to any other permit or license that
16 is required to operate that bus. This subsection (d-5) does
17 not apply to any bus driver employed by a public
18 transportation provider authorized to conduct local or
19 interurban transportation of passengers when the bus is not
20 traveling a specific school bus route but is on a regularly
21 scheduled route for the transporting of other fare paying
22 passengers.

23 A person may operate a chartered bus described in this
24 subsection (d-5) if he or she is not disqualified from
25 driving a chartered bus of that type and if he or she holds a
26 CDL which is:

- 27 (1) issued to him or her by any other state or
- 28 jurisdiction in accordance with 49 CFR 383;
- 29 (2) not suspended, revoked, or canceled; and
- 30 (3) valid under 49 CFR 383, subpart F, for the type
- 31 of vehicle being driven.

32 (e) No person shall drive a religious organization bus
33 unless such person has a valid and properly classified
34 drivers license or a valid school bus driver permit.

1 (f) No person shall drive a motor vehicle for the
2 purpose of providing transportation for the elderly in
3 connection with the activities of any public or private
4 organization unless such person has a valid and properly
5 classified driver's license issued by the Secretary of State.

6 (g) No person shall drive a bus which meets the special
7 requirements for school buses provided in Section 12-801,
8 12-802, 12-803 and 12-805 of this Code for the purpose of
9 transporting persons 18 years of age or less in connection
10 with any youth camp licensed under the Youth Camp Act or any
11 child care facility licensed under the Child Care Act of 1969
12 unless such person possesses a valid school bus driver permit
13 or is accompanied and supervised, for the specific purpose of
14 training prior to routine operation of a school bus, by a
15 person who has held a valid school bus driver permit for at
16 least one year; however, a person who has a valid and
17 properly classified driver's license issued by the Secretary
18 of State may operate a school bus for the purpose of
19 transporting persons 18 years of age or less in connection
20 with any such youth camp or child care facility if the
21 "SCHOOL BUS" signs are covered or concealed and the stop
22 signal arm and flashing signal systems are not operable
23 through normal controls.

24 (Source: P.A. 92-849, eff. 1-1-03.)

25 (625 ILCS 5/6-508) (from Ch. 95 1/2, par. 6-508)

26 Sec. 6-508. Commercial Driver's License (CDL) -
27 qualification standards.

28 (a) Testing.

29 (1) General. No person shall be issued an original
30 or renewal CDL unless that person is domiciled in this
31 State. The Secretary shall cause to be administered such
32 tests as the Secretary deems necessary to meet the
33 requirements of 49 C.F.R. Part 383, subparts G and H.

1 (2) Third party testing. The Secretary of state
2 may authorize a "third party tester", pursuant to 49
3 C.F.R. Part 383.75, to administer the skills test or
4 tests specified by Federal Highway Administration
5 pursuant to the Commercial Motor Vehicle Safety Act of
6 1986 and any appropriate federal rule.

7 (b) Waiver of Skills Test. The Secretary of State may
8 waive the skills test specified in this Section for a
9 commercial driver license applicant who meets the
10 requirements of 49 C.F.R. Part 383.77.

11 (c) Limitations on issuance of a CDL. A CDL, or a
12 commercial driver instruction permit, shall not be issued to
13 a person while the person is subject to a disqualification
14 from driving a commercial motor vehicle, or unless otherwise
15 permitted by this Code, while the person's driver's license
16 is suspended, revoked or cancelled in any state, or any
17 territory or province of Canada; nor may a CDL be issued to a
18 person who has a CDL issued by any other state, or foreign
19 jurisdiction, unless the person first surrenders all such
20 licenses. No CDL shall be issued to or renewed for a person
21 who does not meet the requirement of 49 CFR 391.41(b)(11).
22 The requirement may be met with the aid of a hearing aid.

23 (c-1) The Secretary may issue a CDL with a school bus
24 driver endorsement to allow a person to drive the type of bus
25 described in subsection (d-5) of Section 6-104 of this Code.
26 The CDL with a school bus driver endorsement may be issued
27 only to a person meeting the following requirements:

28 (1) the person has submitted his or her
29 fingerprints to the Department of State Police for
30 fingerprint based criminal background checks on current
31 and future information available in the state system and
32 current information available through the Federal Bureau
33 of Investigation's system;

34 (2) the person has passed a written test,

1 administered by the Secretary of State, on charter bus
2 operation, charter bus safety, and certain special
3 traffic laws relating to school buses determined by the
4 Secretary of State to be relevant to charter buses, and
5 submitted to a review of the applicant's driving habits
6 by the Secretary of State at the time the written test is
7 given;

8 (3) the person has demonstrated physical fitness to
9 operate school buses by submitting the results of a
10 medical examination, including tests for drug use; and

11 (4) the person has not been convicted of committing
12 or attempting to commit any one or more of the following
13 offenses: (i) those offenses defined in Sections 9-1,
14 9-1.2, 9-2, 9-2.1, 9-3, 9-3.2, 9-3.3, 10-1, 10-2, 10-3.1,
15 10-4, 10-5, 10-6, 10-7, 11-6, 11-9, 11-9.1, 11-14, 11-15,
16 11-15.1, 11-16, 11-17, 11-18, 11-19, 11-19.1, 11-19.2,
17 11-20, 11-20.1, 11-21, 11-22, 12-3.1, 12-4.1, 12-4.2,
18 12-4.3, 12-4.4, 12-4.5, 12-6, 12-6.2, 12-7.1, 12-7.3,
19 12-7.4, 12-11, 12-13, 12-14, 12-14.1, 12-15, 12-16,
20 12-16.2, 12-21.5, 12-21.6, 12-33, 18-1, 18-2, 18-3, 18-4,
21 18-5, 20-1, 20-1.1, 20-2, 24-1, 24-1.1, 24-1.2, 24-3.3,
22 31A-1, 31A-1.1, and 33A-2, and in subsection (a) and
23 subsection (b), clause (1), of Section 12-4 of the
24 Criminal Code of 1961; (ii) those offenses defined in the
25 Cannabis Control Act except those offenses defined in
26 subsections (a) and (b) of Section 4, and subsection (a)
27 of Section 5 of the Cannabis Control Act; (iii) those
28 offenses defined in the Illinois Controlled Substances
29 Act; (iv) any offense committed or attempted in any other
30 state or against the laws of the United States, which if
31 committed or attempted in this State would be punishable
32 as one or more of the foregoing offenses; (v) the
33 offenses defined in Sections 4.1 and 5.1 of the Wrongs to
34 Children Act and (vi) those offenses defined in Section

1 6-16 of the Liquor Control Act of 1934.

2 (d) Commercial driver instruction permit. A commercial
3 driver instruction permit may be issued to any person holding
4 a valid Illinois driver's license if such person successfully
5 passes such tests as the Secretary determines to be
6 necessary. A commercial driver instruction permit shall not
7 be issued to a person who does not meet the requirements of
8 49 CFR 391.41 (b)(11), except for the renewal of a commercial
9 driver instruction permit for a person who possesses a
10 commercial instruction permit prior to the effective date of
11 this amendatory Act of 1999.

12 (Source: P.A. 91-350, eff. 7-29-99.)".